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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/660,343

Applicant(s)

SCHOONMAKER ET AL.

Examiner

NATHAN ERB

Art Unit

3628

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date 20080204
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Applicants' response to Office action was received on February 4, 2008.
3. Regarding the Information Disclosure Statement submitted on February 4, 2008, there appear to be two typographical errors in the U.S. patent document listed. Examiner could not find a reference by Acres with a publication number of US 2001055990 and dated 12-21-01. However, Examiner did find a reference by Acres with a publication number of US 2001/0055990 and dated 12-27-2001. Since Examiner believes that was the reference that was intended to be listed on the IDS, that is the reference that Examiner considered.
4. With respect to the prior art rejections, Applicants argue that the combination of LeStrange et al. and Howington fails to disclose Applicants' claimed invention because there is no disclosure in the references of a game machine which allows multiple denominations, as claimed by Applicants. Applicants made a similar argument in their previous response, dated June 11, 2007. In response, in the previous Office action, dated August 31, 2007, Examiner stated:

“In response to the prior art rejections, applicants first argue that Howington fails to cure a deficiency of LeStrange et al. in not disclosing multi-denomination gaming machines. Examiner agrees that Howington alone does not disclose multi-denomination gaming machines. However, Howington et al. was not used by itself to disclose multi-denomination gaming machines; rather, Howington was used to disclose, for example,

"wherein a unique configuration includes a unique denomination," as in the rejection for claim 1. Furthermore, multi-denomination gaming machines are disclosed via the COMBINATION of LeStrange et al. and Howington. For example, in claim 1, LeStrange et al. discloses "a receiver for collecting first meter information from a first unique configuration in a single game unit, and for collecting second meter information from a second unique configuration in the single game unit," as well as "wherein a unique configuration includes a unique game." While each gaming machine of LeStrange et al. may have multiple different configurations, those configurations able to vary in terms of what game is being played on the machine, LeStrange et al. does not disclose denomination as a parameter which can be varied across such configurations. However, Howington does disclose different machine configurations across which denomination may be a variable parameter. Although Howington does not feature individual machines with each machine being able to be configured for multiple different denominations, such a disclosure is not necessary for the COMBINATION of LeStrange et al. and Howington to disclose multi-denomination gaming machines. Rather, to paraphrase the rejection for claim 1, if LeStrange et al. discloses gaming machines capable of having multiple different configurations for a single gaming machine and Howington discloses that denomination is one way in which configurations of gaming machines may differ, then a combination of LeStrange et al. and Howington may disclose gaming machines capable of having multiple different configurations for a single gaming machine, such configurations capable of differing on the basis of denomination. Therefore, the combination of LeStrange et al. and Howington discloses multi-denomination gaming

machines, and applicants' arguments are not persuasive with respect to this issue. See the rejection for claim 1 below in this Office action for further details.”

Examiner stands by that previous argument as explaining how the combination of LeStrange et al. and Howington may disclose multi-denomination gaming machines, even if neither do by themselves. Therefore, the fact that Examiner conceded in a previous Office action (as pointed out by Applicants in their most recent response) that Howington alone does not disclose multi-denomination gaming machines is not decisive of this issue.

In addition, Applicants argue that Howington teaches away from Applicants' claimed invention. In their most recent response, p. 7, Applicants state:

“The combination of LeStrange et al. and Howington does not teach or suggest Applicants' claimed accounting system for a single game unit that may have unique combinations of a game and a denomination. In fact, Howington would have taught away from Applicants' claimed invention, as Howington uses different gaming machines each with a different denomination. That is, there would have been no reason to provide a single game machine with different possible unique combinations of games and denominations, as Howington employs single game machines each accepting only one denomination. As such, Applicants' claimed invention would not have been obvious. The combination of LeStrange et al. and Howington, at most, teaches a multi-game machine (LeStrange et al.) and a number of single game machines that each accept different denominations. (Howington).”

In response to this passage, Examiner first directs Applicants' attention to the rejection for representative independent claim 1 below in this Office action, as well as to the above

discussion with respect to multi-denomination gaming machines, for an explanation of how the combination of LeStrange et al. and Howington discloses Applicants' claimed accounting system for a single game unit that may have unique combinations of a game and a denomination.

Regarding teaching away, MPEP 2141.02(VI) provides the following guidance:

“VI. PRIOR ART MUST BE CONSIDERED IN ITS ENTIRETY, INCLUDING
DISCLOSURES THAT TEACH AWAY FROM THE CLAIMS

A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984) (Claims were directed to a process of producing a porous article by expanding shaped, unsintered, highly crystalline poly(tetrafluoroethylene) (PTFE) by stretching said PTFE at a 10% per second rate to more than five times the original length. The prior art teachings with regard to unsintered PTFE indicated the material does not respond to conventional plastics processing, and the material should be stretched slowly. A reference teaching rapid stretching of conventional plastic polypropylene with reduced crystallinity combined with a reference teaching stretching unsintered PTFE would not suggest rapid stretching of highly crystalline PTFE, in light of the disclosures in the art that teach away from the invention, i.e., that the conventional polypropylene should have reduced crystallinity before stretching, and that PTFE should be stretched slowly.). However, “the prior art’s mere disclosure of more than one alternative does not constitute a teaching away from any of these alternatives because such disclosure does not criticize,

discredit, or otherwise discourage the solution claimed....” *In re Fulton*, 391 F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004). >See also MPEP § 2123.<”

In light of the above passage from the MPEP, the mere fact that Howington features its different denominations on different gaming machines, as an alternative to multi-denomination gaming machines, does not teach away from having multi-denomination gaming machines because Howington only features the alternative of different denominations on different gaming machines without criticizing, discrediting, or otherwise discouraging having multi-denomination gaming machines. Furthermore, the only modification being made in representative independent claim 1 with respect to LeStrange et al. and Howington is altering the multi-configuration capabilities of LeStrange et al. such that a configuration is defined not just by a unique game, but also by a unique denomination. As discussed in the rejection for claim 1 below in this Office action, the motivation for making such a modification is that using denomination to define a particular configuration allows machine parameters to be compared on the basis of denomination. Examiner knows of no teaching in LeStrange et al. or Howington that discourages the modification of LeStrange et al. such that its multiple configurations are defined not just by varying games, but by varying denominations. Therefore, Applicants’ arguments are not persuasive with respect to these issues.

Claim Rejections - 35 USC § 103

5. Claims 1-4, 6-7, 9-10, 12, 14-16, 18-25, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeStrange et al., U.S. Patent No. 5,470,079, in view of Howington, U.S. Patent Application Publication No. US 2002/0152120 A1.

As per **Claim 1**, LeStrange et al. discloses:

- an accounting system (column 3, lines 7-19);
- a receiver for collecting first meter information from a first unique configuration in a single game unit, and for collecting second meter information from a second unique configuration in the single game unit (Figure 1; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; receiver is central or host computer system 20; a single game machine may be capable of playing multiple different games; different games represent different machine configurations; meter information for different games is recorded separately);
- wherein a unique configuration includes a unique game (column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations);
- a database for storing the collected information (column 4, line 56, through column 5, line 45).

LeStrange et al. fails to disclose wherein a unique configuration includes a unique denomination. Howington discloses wherein a unique configuration includes a unique denomination (paragraph [0004]; paragraphs [0029]-[0030]; paragraph [0036]; claim 16; combining the configuration-defining attributes of game and denomination into a single invention makes the configuration a combination). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that a unique configuration includes a unique denomination, as disclosed by

Howington. Motivation is provided by Howington in that tracking denomination of a machine allows other tracked parameters to be compared on the basis of the denomination of machines (paragraph [0036]).

As per **Claim 2**, LeStrange et al. further discloses wherein the first meter information is coin-in for the first unique configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; according to p. 10, lines 26-28, of applicants' specification, the coin-in meter measures the total coins wagered in a configuration; this corresponds to the "game play meter" of the reference).

As per **Claim 3**, LeStrange et al. further discloses wherein the receiver is structured to also collect coin-out information for the first unique configuration (Figure 1; column 4, line 56, through column 5, line 45; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; according to p. 10, lines 26-32, of applicants' specification, a total coin-out meter measures the total coins paid as a result of a winning outcome generated by a configuration; this corresponds to the "game out meter" of the reference).

As per **Claim 4**, LeStrange et al. further discloses wherein the coin-out information does not include system bonus payments (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; according to p. 10, lines 26-32, of applicants' specification, a total coin-out meter measures the total coins paid as a result of a winning outcome generated by

a configuration and does not include system bonus payments; therefore, system bonus payments are not coins paid as a result of a winning outcome generated by a configuration; total coin-out meter corresponds to the “game out meter” of the reference, which the reference only describes as being incremented as a result of a win on a machine; therefore, the “game out meter” of the reference would not measure system bonus payments).

As per Claim 6, LeStrange et al. further discloses wherein the first meter information and second meter information are subsets of all meters stored in the single game unit (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per Claim 7, LeStrange et al. further discloses wherein the first meter information is only collected if the first meter information is non-zero information (column 4, lines 18-34; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; game meter information is only transferred to host computer if the game is played and then the player switches to another game; therefore, if a game has not been played, its zero meter values will not be transferred to and collected by the host computer).

As per Claim 9, LeStrange et al. further discloses wherein the first meter information is collected at the end of a gaming session of the first unique configuration (column 5, line 65,

through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 10**, LeStrange et al. further discloses a calculator structured to generate additional information from the collected information (Figure 1; column 3, lines 7-19; column 3, lines 39-56; column 4, line 56, through column 5, line 45; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 9, lines 48-67; column 11, line 59, through column 12, line 40; in light of applicants' specification, "additional information" is being interpreted to include actual win percentage, which is simply another way of expressing actual hold percentage).

As per **Claim 12**, LeStrange et al. further discloses wherein the calculator is structured to generate a hold percentage for the first unique configuration during a certain time period (Figure 1; column 3, lines 7-19; column 3, lines 39-56; column 4, line 56, through column 5, line 45; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 9, lines 48-67; column 11, line 59, through column 12, line 40).

As per **Claim 14**, LeStrange et al. fails to disclose a reporter structured to gather and present portions of the stored information. Howington discloses a reporter structured to gather and present portions of the stored information (Figure 5; Figure 6; Figure 7; Figure 8; Figure 9; Figure 10; paragraph [0040]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that it includes

a reporter structured to gather and present portions of the stored information, as disclosed by Howington. Motivation is provided by Howington in that casinos track gaming machine performance for regulatory and revenue-generating reasons (paragraph [0003]; paragraph [0006]).

As per **Claim 15**, LeStrange et al. fails to disclose a reporter structured to gather and present portions of the collected information and the additional information. Howington discloses a reporter structured to gather and present portions of the collected information and the additional information (Figure 5; Figure 6; Figure 7; Figure 8; Figure 9; Figure 10; paragraph [0040]; in light of applicants' specification, "additional information" is being interpreted to include actual win percentage, which is simply another way of expressing actual hold percentage). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 10 such that it includes a reporter structured to gather and present portions of the collected information and the additional information, as disclosed by Howington. Motivation is provided by Howington in that casinos track gaming machine performance for regulatory and revenue-generating reasons (paragraph [0003]; paragraph [0006]).

As per **Claim 16**, LeStrange et al. discloses:

- a method of accounting for networked gaming devices (Figure 1; column 3, lines 7-19; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; claims 1 and 14-16);

- accepting values from more than one unique configuration from a single game unit (Figure 1; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations; meter information for different games is recorded separately);

- wherein a unique configuration includes a unique game (column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations);

- storing the accepted values (column 4, line 56, through column 5, line 45).

LeStrange et al. fails to disclose wherein a unique configuration includes a unique game denomination. Howington discloses wherein a unique configuration includes a unique game denomination (paragraph [0004]; paragraphs [0029]-[0030]; paragraph [0036]; claim 16; combining the configuration-defining attributes of game and game denomination into a single invention makes the configuration a combination). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that a unique configuration includes a unique game denomination, as disclosed by Howington. Motivation is provided by Howington in that tracking denomination of a machine allows other tracked parameters to be compared on the basis of the denomination of machines (paragraph [0036]).

LeStrange et al. fails to disclose accepting queries to the accepted values to extract a subset of the stored values. Howington discloses accepting queries to the accepted values to extract a subset of the stored values (Figures 4-6; paragraph [0015]; paragraphs [0029]-[0037]).

It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that it accepts queries to the accepted values to extract a subset of the stored values, as disclosed by Howington. Motivation is provided by Howington in that accepting queries to stored values helps casino management to track performance of particular gaming machines (paragraph [0034]; paragraph [0037]).

LeStrange et al. fails to disclose reporting the subset of stored values. Howington further discloses reporting the subset of stored values (Figures 4-6; paragraph [0015]; paragraphs [0029]-[0037]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified above in this rejection such that it reports the subset of stored values, as disclosed by Howington. Motivation is provided by Howington in that reporting the subset of stored values helps casino management to track performance of particular gaming machines (paragraph [0034]; paragraph [0037]).

As per Claim 18, LeStrange et al. and Howington fail to disclose wherein reporting comprises printing. However, that element/limitation was well-known to one of ordinary skill in the art at the time of applicants' invention. It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 16 such that reporting comprises printing, as was well-known to one of ordinary skill in the art at the time of applicants' invention. Motivation is provided in that it was well-known to one of ordinary skill in the art at the time of applicants' invention that paper is a convenient medium for reporting information.

As per **Claim 19**, LeStrange et al. further discloses wherein each unique configuration has a unique identifier (column 11, line 59, through column 12, line 40).

As per **Claim 20**, LeStrange et al. fails to disclose wherein the single game unit has an identifier unique from any other game unit in the network of gaming devices. Howington discloses wherein the single game unit has an identifier unique from any other game unit in the network of gaming devices (Figures 4-6; paragraphs [0029]-[0037]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 19 such that the single game unit has an identifier unique from any other game unit in the network of gaming devices, as disclosed by Howington. Motivation is provided by Howington in that a machine identifier is used to differentiate the various gaming machines in the network for helping casino management to track performance of particular gaming machines (Figures 4-6; paragraphs [0029]-[0037]).

As per **Claim 21**, LeStrange et al. further discloses wherein accepting values comprises accepting meter values (Figure 1; column 4, line 56, through column 7, line 25; column 11, line 59, through column 12, line 40).

As per **Claim 22**, LeStrange et al. further discloses wherein accepting meter values comprises accepting meter values only if they are non-zero values (column 4, lines 18-34; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; game meter information is only transferred to

host computer if the game is played and then the player switches to another game; therefore, if a game has not been played, its zero meter values will not be transferred to and collected by the host computer).

As per **Claim 23**, LeStrange et al. further discloses wherein accepting meter values comprises accepting fewer than all of the available meter values in the single game unit (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 24**, LeStrange et al. further discloses wherein accepting meter values comprises accepting meter values after an event (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 25**, LeStrange et al. further discloses wherein the event is the end of a session of the configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

As per **Claim 28**, LeStrange et al. further discloses generating calculated values from the stored accepted values (Figure 1; column 3, lines 7-19; column 3, lines 39-56; column 4, line 56, through column 5, line 45; column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 9, lines 48-67; column 11, line 59, through column 12, line 40).

6. Claims 5, 8, 13, 26-27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeStrange et al. in view of Howington in further view of Britt et al., U.S. Patent Application Publication No. US 2003/0069071 A1.

As per Claim 5, LeStrange et al. further discloses wherein the coin-out information includes monetary value paid directly by the single game unit (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60). LeStrange et al. further discloses wherein the coin-out information includes monetary value generated by the single game unit for the first unique configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40; according to p. 10, lines 26-32, of applicants' specification, a total coin-out meter measures the total coins paid as a result of a winning outcome generated by a configuration; this corresponds to the "game out meter" of the reference). LeStrange et al. and Howington fail to disclose monetary value being paid in the form of a hand pay. Britt et al. discloses monetary value being paid in the form of a hand pay (paragraph [0925]; paragraph [0935]; paragraph [0944]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 3 such that monetary value is paid in the form of a hand pay, as disclosed by Britt et al. Motivation is provided in that it was well-known to one of ordinary skill in the art at the time of applicants' invention that hand pays are a common method for casinos to pay out winnings to customers; therefore, it would make sense to take hand pays into consideration in a gaming accounting system.

As per **Claim 8**, LeStrange et al. and Howington fail to disclose wherein the first meter information is collected at a regular interval. Britt et al. discloses wherein the first meter information is collected at a regular interval (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 1 such that the first meter information is collected at a regular interval, as disclosed by Britt et al. Motivation is provided by Britt et al. in that collecting the information at regular intervals keeps the central monitoring system updated (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]).

As per **Claim 13**, LeStrange et al. and Howington fail to disclose wherein the calculator is structured to generate a hold percentage for all unique configurations in the single game unit. Britt et al. discloses wherein the calculator is structured to generate a hold percentage for all unique configurations in the single game unit (Figure 1; Figure 26; Figure 27; paragraphs [0087]-[0089]; paragraphs [0239]-[0248]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 10 such that the calculator is structured to generate a hold percentage for all unique configurations in the single game unit, as disclosed by Britt et al. Motivation is provided in that it was well-known to one of ordinary skill in the art at the time of applicants' invention that casinos compare theoretical hold percentage to actual hold percentage to measure the performance of a gaming machine.

As per **Claim 26**, LeStrange et al. and Howington fail to disclose wherein accepting values comprises accepting values at established time intervals. Britt et al. discloses wherein accepting values comprises accepting values at established time intervals (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 16 such that accepting values comprises accepting values at established time intervals, as disclosed by Britt et al. Motivation is provided by Britt et al. in that collecting the information at regular intervals keeps the central monitoring system updated (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]).

As per **Claim 27**, LeStrange et al. and Howington fail to disclose wherein an established time interval is once per day. Britt et al. discloses wherein an established time interval is once per day (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 26 such that an established time interval is once per day, as disclosed by Britt et al. Motivation is provided in that it was well-known to one of ordinary skill in the art at the time of applicants' invention that a day is a common time interval to choose for breaking up data over time periods.

As per **Claim 29**, LeStrange et al. discloses:

- an accounting system (column 3, lines 7-19);
- a receiver for collecting first meter information from a first unique configuration in a single game unit, and for collecting second meter information from a second unique configuration in the single game unit (Figure 1; column 4, line 56, through column 5, line 45; column 11, line 59, through column 12, line 40; receiver is central or host computer system 20; a single game machine may be capable of playing multiple different games; different games represent different machine configurations; meter information for different games is recorded separately);
- wherein a unique configuration includes a unique game (column 11, line 59, through column 12, line 40; a single game machine may be capable of playing multiple different games; different games represent different machine configurations);
- a database for storing the collected information (column 4, line 56, through column 5, line 45);
- wherein the first meter information is collected at the end of a gaming session of the first unique configuration (column 5, line 65, through column 6, line 20; column 6, lines 36-43; column 7, lines 28-60; column 11, line 59, through column 12, line 40).

LeStrange et al. fails to disclose wherein a unique configuration includes a unique denomination. Howington discloses wherein a unique configuration includes a unique denomination (paragraph [0004]; paragraphs [0029]-[0030]; paragraph [0036]; claim 16; combining the configuration-defining attributes of game and denomination into a single invention makes the configuration a combination). It would have been obvious to one of

ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. such that a unique configuration includes a unique denomination, as disclosed by Howington. Motivation is provided by Howington in that tracking denomination of a machine allows other tracked parameters to be compared on the basis of the denomination of machines (paragraph [0036]).

LeStrange et al. and Howington fail to disclose wherein the first meter information is collected at established intervals. Britt et al. discloses wherein the first meter information is collected at established intervals (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified above in this rejection such that the first meter information is collected at established intervals, as disclosed by Britt et al. Motivation is provided by Britt et al. in that collecting the information at regular intervals keeps the central monitoring system updated (Figure 1; paragraphs [0087]-[0089]; paragraphs [0926]-[0929]; paragraphs [1004]-[1019]).

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeStrange et al. in view of Howington in further view of Rowe et al., U.S. Patent Application Publication No. US 2002/0187834 A1.

As per Claim 11, LeStrange et al. and Howington fail to disclose wherein the calculator is further structured to generate the additional information from other information. Rowe et al. further discloses wherein the calculator is further structured to generate the additional information from other information (paragraph [0014]; paragraphs [0106]-[0111]; in light of

applicants' specification, additional information is interpreted here to include theoretical hold percentage and other information is interpreted to include player inputs). It would have been obvious to one of ordinary skill in the art at the time of applicants' invention to modify the invention of LeStrange et al. as modified in the rejection for claim 10 such that the calculator is further structured to generate the additional information from other information, as disclosed by Rowe et al. Motivation is provided by Rowe et al. in that calculating theoretical hold percentage can be used to target particular players for casino rewards (paragraph [0014]; paragraphs [0106]-[0111]).

Conclusion

8. **Examiner's Note:** Examiner has cited particular portions of the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Erb whose telephone number is (571) 272-7606. The examiner can normally be reached on Mondays through Fridays, 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Nhe

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